

Message Text

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ACTION PM-05

INFO OCT-01 ARA-10 ISO-00 L-03 NSC-05 SP-02 SS-15
CIAE-00 INR-07 NSAE-00 TRSY-02 AID-05 IGA-02
OMB-01 ACDA-07 /065 W
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FM AMEMBASSY BUENOS AIRES
TO SECSTATE WASHDC PRIORITY 2385
INFO SECDEF WASHDC//DSAA/ISA//
USCINCSO QUARRY HTS CZ//SCSA//

C O N F I D E N T I A L BUENOS AIRES 7108

E.O. 11652: GDS
TAGS: MASS, MILI, AR
SUBJECT: TERMINATION OF MILITARY MISSION AND
MILITARY ASSISTANCE AGREEMENTS

REF: STATE 201236

1. POST IS CONCERNED ABOUT EFFECTS RECENT
INTERNATIONAL SECURITY ASSISTANCE ACT OF
1977 WILL HAVE UPON US OBLIGATIONS TO ARGENTINA UNDER
EXISTING BILATERALS, AND SEEKS INSTRUCTIONS
HOW WE SHOULD GO ABOUT OFFICIALLY INFORMING
ARGENTINE GOVERNMENT OF CHANGES TO BE
EFFECTED. SPECIFICALLY:

2. MILITARY ASSISTANCE AGREEMENT BETWEEN THE
US AND ARGENTINA SIGNED AT BUENOS AIRES
MAY 10, 1967 (TREATIES AND OTHER INTERNATIONAL
ACTS SERIES 5594) REQUIRES IN ARTICLE III
THAT EITHER PARTY GIVE NOTICE SIX MONTHS IN
ADVANCE REGARDING AN INTENTION TO TERMINATE
ARRANGEMENTS SPECIFIED IN THE AGREEMENT. IS IT
DEPARTMENT'S VIEW THAT RECENTLY PASSED
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LEGISLATION HAS EFFECT OF CAUSING THIS AGREEMENT'S
TERMINATION, AND THAT USG MUST THEREFORE GIVE FORMAL
NOTICE OF THIS?

3. THE "AIR FORCE MISSION TO ARGENTINA" AGREEMENT OF
OCTOBER 3, 1956 (TIAS 3652) PROVIDES IN ARTICLE 3 THAT
THE AGREEMENT MAY BE TERMINATED BY: EITHER GOVERNMENT'S

GIVING THREE MONTHS WRITTEN NOTICE TO THE OTHER GOVERNMENT; RECALL OF THE ENTIRE PERSONNEL OF THE MISSION BY THE GOVERNMENT OF THE US; OR IN THE CASE EITHER GOVERNMENT BECOMES INVOLVED IN HOSTILITIES. IN WHAT WAY WILL RECOMPOSITION OF SECURITY ASSISTANCE ORGANIZATIONS (STATE 219922) AFFECT US OBLIGATIONS UNDER THIS AGREEMENT? MUST USG FORMALLY NOTIFY ARGENTINA OF IMPENDING CHANGES WHICH MIGHT NEGATE THIS AGREEMENT'S UNDERTAKINGS OR BE CONSTRUED BY THE ARGENTINE GOVERNMENT AS HAVING THIS EFFECT?

4. THE "ARMY MISSION TO ARGENTINA" AGREEMENT OF AUGUST 2, 1960 (TIAS 4546) CONTAINS SIMILAR PROVISIONS AND RAISES SIMILAR QUESTIONS.

5. PRESENCE OF THE US NAVY MISSION TO ARGENTINA WAS THE SUBJECT OF AN ACCORD SPECIFICALLY CONCERNING THE NAVAL ADVISORY GROUP ENTERED ON MAY 10, 1964 AND KEYED TO THE MILITARY ASSISTANCE AGREEMENT REFERRED TO IN PARAGRAPH 2. THE ACCORD SPECIFIES A TERMINATION CLAUSE CONGRUENT WITH THE ASSISTANCE AGREEMENT. IS IT THE DEPARTMENT'S VIEW THAT THIS ARRANGEMENT ALSO REQUIRES FORMAL TERMINATION?
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Copy: SINGLE
Sent Date: 22-Sep-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
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Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
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